

**CHAPTER NO. 215**

**HOUSE BILL NO. 113**

**By Representatives Moore, Newton, Marrero**

**Substituted for: Senate Bill No. 410**

**By Senators Haynes, Cooper, Burks**

AN ACT to amend Tennessee Code Annotated, Section 66-7-104, relative to disability and housing accommodations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-7-104(c), is amended by designating the current language as subdivision (1) and by inserting the following to be designated as subdivision (2):

(2) Notwithstanding subdivision (1), any person renting, leasing, or providing for compensation any real property that is three (3) or more stories tall shall give priority in access to housing units on floors one (1) and two (2) of such property to physically disabled persons whose disability would prevent such persons from having reasonable access to units located on higher floors, provided that the person shall not be required to seek out physically disabled occupants or forego occupancy for the unit for any period of time if a physically disabled occupant is not available. Nothing in this act shall prevent the lessor from using or applying other factors in determining whether or not to rent to a disabled person.

A violation of this subdivision is a Class C misdemeanor punishable only by a fine not to exceed fifty dollars (\$50.00).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 9, 2005

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 27<sup>th</sup> day of May 2005

  
PHIL BREDESEN, GOVERNOR